

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: **JOEL E. BERNSTEIN** )  
)  
Continuation Application of : )  
Serial Number: 10/294,409 )  
Filed: November 14, 2002 )  
)  
Filed: Concurrently Herewith )  
)  
Title: COMPOSITIONS AND METHOD FOR )  
TREATING AFFECTIVE, PAINFUL OR )  
ALLERGIC DISORDERS )  
)  
Art Unit: 1617 )  
Examiner: Jennifer Kim )  
Attorney Docket No.: 812540605 )

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants submit herewith patents of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. However, submitting this information is not intended to constitute an admission that any patent, publication or other information referred to herein either is "material" pursuant to 37 CFR 1.56 or is "prior art" for this invention.

In accordance with 37 CFR 1.97(g), (h), the filing of the Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(b) exists.

A list of patent(s) and/or publications is set forth on the attached Form PTOL-1449.

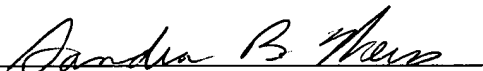
Copies of all available patents are supplied herewith for the Examiner's convenience.

It is respectfully submitted that the present invention is deemed patentable over the cited references, whether taken singly or in combination. Applicants are submitting these references for consideration by the Examiner and for purposes of entering these citations in the official file in order to comply with their duty of candor.

If a fee is due, the Patent Office is authorized to debit our deposit account number 10-1202.

Respectfully submitted,

February 18, 2004

  
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FORM PTO-1449  
(Rev. 2-32)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.

812540605

CONTINUATION  
APPLICATION OF  
APPLICATION  
SERIAL NO. 10/294,409

APPLICANT: Joel E. Bernstein

FILING DATE: Concurrently  
Herewith

GROUP:

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
		4	3	7	0	3	2	4	01/25/83	Joel E. Bernstein			
		4	3	9	5	4	2	0	07/26/83	Joel E. Bernstein			
		4	5	0	5	9	0	9	03/19/85	Joel E. Bernstein			
		6	0	9	6	7	3	8	08/01/00	Joel E. Bernstein			
		5	5	0	2	0	4	7	03/26/96	Neil B. Kavey			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCL ASS	TRANSLATION	
													YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Arzneim-Fosch; "Plasma Levels of the Cis-and Trans-Isomers of Doxepin and Desmethyldoxepin after Administration of Doxepin tp Patents", Drug Res.31, Vol. 1, pp.113-115, 1981
		USP25, 2002; United States Pharmacopeia Convention, Inc. Rockville, MD, p. 614
		Midha et al., "Steroselective pharmacokinetics of doxepin isomers.", European Journal of Clinical Pharmacology (1992), 42(5), pps. 539-544.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])